use through 10/31/2002. OMB 0651-0031 U.S. DEPARTMENT OF COMMERCE

Approve U.S. Patent and Trademark Office

TRANSMITTAL FORM  (to be used for all correspondence after initial filing)  Total Number of Pages in This Submission 1		Application Number		09/930,020	
		Filing	Date	August 14, 2001	
		First N	amed Inventor	Gish, Kurt C.	
		Group	Art Unit	1642	
		Examir	ner Name	Not yet assigned	
		Attorne	y Docket Number	018501-003100US	
	ENCLO	SURES	(check all that apply)		
Fee Transmittal Form		ment Pape Application)		After Allowance Communication to Group	
Fee Attached	☐ Drawing	g(s)	Appeal Communication to Appeals and Interferences		
Amendment / Response	Licensin	ng-related	Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final	and Ac	companyi	Slip (PTO/SB/69) ng Petition	Proprietary Information	
Affidavits/declaration(s)	Petition to 0			Status Letter	
Extension of Time Request	Power of Attorney, Revocation Change of Correspondence Address			Other Enclosure(s) (please identify below):	
Express Abandonment Request		rminal Disclaimer		Copy of Notice of Incomplete Reply; Copy date-stamped return receipt postcard: Cop	
☐ Information Disclosure Statement ☐ CD, No.				of Response to Notice to File Missing Parts as filed November 9, 2001: Copy of Communication and Substitute Specification as filed November 13, 2001; Certificate of First Class Mailing and Return Postcard.	
Certified Copy of Priority Document(s)	Remarks		The Commissioner is a Deposit Account 20-14	authorized to charge any additional fees to	
Response to Missing Parts/ Incomplete Application					
Response to Missing Parts under 37 CFR 1.52 or 1.53					
			NT, ATTORNEY, OF	RAGENT	
Firm Townsend and Tow and Individual name	nsend and C	Crew LLP	Reg. No.	34,774	
Signature Signature			- <u> </u>		
Date February 13, 2002			41.		

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 13, 2002

Typed or printed name Jill R. Clarke Signature Date February 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1317578 v1

2 %		Applic	ation Number	09/930,020	
TRANSMITTAL	•	Filing	Date	August 14, 2001	
<i></i> <b>√ √ √ √ √ √ √ √</b>		First N	amed Inventor	Gish, Kurt C.	
(to be used for all correspondence after in	nitial filing)	Group	Art Unit		
		Examir	ner Name	Not yet assigned	
otal Number of Pages in This Submission	1	Attorne	ey Docket Number	018501-003100US	
	ENCL	OSURES	(check all that apply)		
Fee Transmittal Form		ment Pap Application,		After Allowance Communication (	
Fee Attached	☐ Drawin	ng(s)		Appeal Communication to Board Appeals and Interferences	
Amendment / Response	Licens	Licensing-related Papers  Petition Routing Slip (PTO/SB/69) and Accompanying Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final				Proprietary Information	
Affidavits/declaration(s)				Status Letter	
Extension of Time Request				Other Endosure(s) (please identify below):	
Express Abandonment Request				Communication Regarding Substitute Specification Under 37 CFR 1.52(b) pg.); Substitute Specification (117 pg Copy of Notice to File Missing Parts pgs.) Return Postcard	
Information Disclosure Statement	CD, N				
Certified Copy of Priority Document(s)	Remarks		The Commissioner is Deposit Account 20-1	authorized to charge any additional fee 430.	
Response to Missing Parts/ Incomplete Application			J		
Response to Missing Parts under 37 CFR 1.52 or 1.53					
SIGN			ANT, ATTORNEY, C	OR AGENT	
	ownsend and	Crew LL	•		
Firm Townsend and To					
Firm Townsend and	1		Reg. N	lo. 34,774	
and Kevin Bastian	Bot		Reg. N	lo. 34,774	

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, Q.C. 20231 on this date:

November 13, 2001

Typed or printed name Jill R. Clarke

R. Clarke Signature

November 13, 2001 Date

Burden Hour Statement: This formus estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 2021. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SF 1291975 v1

PTO/SB/21 (08-00) ligh 10/31/2002. OMB 0651-0031 Approved for u

U.S. Patent and Trademark Office: U.S. Sar ARTMENT OF COMMERCE
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1			Application Number	09/930,0	20	
	TRANSMITT	AL	Filing Date	August 1	4, 2001	
	FORM (to be used for all correspondence after initial filing)		First Named Inventor	Gish, Kur	Gish, Kurt C.	
			Group Art Unit	1642	1642	
01			Examiner Name	Not yet a	ssigned	
FED 2 5 2	Total Number of Pages in This Submission 1		Attorney Docket Number	018501-0	03100US	
FEB 2 5 20	263	ENCLO	SURES (check all that apply	)		
PADEMARY	Fee Transmittal Form		ment Papers Application)	After A	diowance Communication to	
CHIL	Fee Attached	☐ Drawin	g(s)		I Communication to Board of Is and Interferences	
	Amendment / Response	Licensi	ng-related Papers		I Communication to Group I Notice, Brief, Reply Brief)	
	After Final		Routing Slip (PTO/SB/69) companying Petition	Proprie	etary Information	
	Affidavits/declaration(s)		Petition to Convert to a Provisional Application		Letter	
	Extension of Time Request		of Attorney, Revocation e of Correspondence Address		Enclosure(s) identify below):	
	Express Abandonment Request		☐ Terminal Disclaimer ☐ Request for Refund		uted inventor Declaration (1 pg.) cation Data Sheet (4 pgs.); on to charge \$65 to Deposit	
	☐ Information Disclosure Statement		mber of CD(s)	PTO/SB/0 Application Communic 1.825 and pgs.), Vers Changes N Sequence Sequence Notice to F Nonprovisi Certificate Return Pos	o. 20-1430; Executed 1A Declaration (1 pg.) with a Data Sheet (4 pages); cation Under 37 CFR §§ 1.821- Preliminary Amendment (5 sion with Markings to Show Made (3 pgs.), 1 diskette of Listing; Paper copy of Listing (4 pages), Copy of ille Missing Parts of onal Application (2 pages); of First Class Mailing and stcard.	
	Certified Copy of Priority Document(s)	Remai	l =		Charge any additional lees to	
	Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53					
ļ	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
-	Firm Townsend and Townsend and Crew LLP and Individual name Reg. No. 34,774					
}	Signature					
	Date November 9, 2001					
4		CEI	RTIFICATE OF MAILING			
	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on to date:			ishington, D.C. 20231 on this		
-	Typed or printed name Jill R. C		·····			
ţ	Signature	e. Clark		Date	November 9, 2001	

I hereby certify that this correspond; the is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001

Attorney Docket No.: 018501-003100US Client Ref. No.: COCA 007-1

TOWNSEND and TOWNSEND and CREW LLP

FEB 2 5 2002 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GISH et al.

Application No.: 09/930,020

Filed: August 14, 2001

For: Methods of Diagnosis of Colorectal Cancer, Compositions and Methods of Screening for Colorectal Cancer

Modulators

Examiner:

not yet assigned

Art Unit:

not yet assigned

COMMUNICATION REGARDING SUBSTITUTE SPECIFICATION UNDER

37 C.F.R. § 1.52(b)

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Responsive to a Notice to File Missing Parts mailed September 13, 2001, Applicants submit herewith a substitute specification in compliance with 37 C.F.R. § 1.52(b). The substitute specification includes no new matter.

To comply with 37 C.F.R. § 1.52(b), the substitute specification replaces single spacing with 1½ spacing in Tables 1 and 2 of the specification.

For the reasons discussed above, no new matter is introduced. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 576-0200.

Respectfully submitted,

Kevih L. Basilah Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834

Tel: (415) 576-0200 Fax: (415) 576-0300

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PADEMARY

(pl)

PTO/SB/17 (09-00) se through 10/31/2002. OMB 0651-0032

Patent and Trademark Onice: U.S. DEPARTMENT OF COMMERCE
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FEE TO ANOMETAL	,	Complete If Known
FEE TRANSMITTAL	Application Number	09/930,020
for FY 2001	Filing Date	August 14, 2001
	First Named Inventor	Gish, Kurt C.
Patent fees are subject to annual revision.	Examiner Name	
	Group Art Unit	
-	· I -	I

TOTAL AMOUNT OF PAYMENT 018501-003100US 65 Attorney Docket No. FEE CALCULATION (continued) METHOD OF PAYMENT 3. ADDITIONAL FEES The Commissioner is hereby authorized to charge  $\boxtimes$ indicated fees and credit any over payments to: Large Entity Small Entity Fee Fee Fee **Fee Description** Deposit Code Code (\$) (\$) Paid Account 20-1430 Surcharge - late filing fee or oath 65 105 130 205 65 Number 127 50 227 25 Surcharge - late provisional filing fee or cover sheet. Deposit 139 130 139 130 Non-English specification Townsend and Townsend and Crew LLP Account Name 147 2,520 147 2,520 For filing a request for reexamination Charge Any Additional Fee Required 112 9201 112 920\* Requesting publication of SIR prior to Under 37 CFR 1.16 and 1.17 Examiner action 1,840\* Applicant claims small entity status. 113 1,8401 113 Requesting publication of SIR after See 37 CFR 1.27 **Examiner action** 2. Payment Enclosed: 115 110 215 55 Extension for reply within first month 116 400 216 200 Extension for reply within second ☐ Check Credit card ☐ Money □ Other month Order 117 920 217 460 Extension for reply within third month **FEE CALCULATION** 720 118 1,440 218 Extension for reply within fourth month **BASIC FILING FEE** 128 1,960 228 980 Extension for reply within fifth month **Entity Small Entity** Large 160 Notice of Appeal 119 320 219 Fee Fee Fee **Fee Description** Code (\$) Code (\$) Fee Paid 120 320 220 160 Filing a brief in support of an appeal 101 740 201 370 Utility filing fee 121 280 221 140 Request for oral hearing 106 330 206 165 Design filing fee Petition to institute a public use 138 1,510 1,510 138 proceeding 107 510 207 255 Plant filing fee 110 240 55 Petition to revive - unavoidable 140 108 740 208 370 Reissue filing fee 1,280 241 Petition to revive - unintentional 141 640 160 80 Provisional filing fee 114 214 142 1,280 242 Utility issue fee (or reissue) SUBTOTAL (1) (\$) 143 460 243 230 Design issue fee 144 620 244 310 Plant issue fee 2. EXTRA CLAIM FEES Petitions to the Commissioner 122 122 130 130 Extra Fee from Fee Petitions related to provisional Paid Claims 123 50 123 50 applications Total Claims -201 Submission of Information Disclosure Independent 126 180 126 180 -31 Claims Recording each patent assignment Multiple 581 40 581 40 per property (times number of Dependent properties) Large Entity Small **Entity** 146 740 246 370 Filing a submission after final rejection (37 ČFR § 1.129(a)) Fee Fee Fee Fee Fee Description Code (\$) Code (\$) For each additional invention to be 149 740 249 370 examined (37 CFR § 1.129(b)) 103 18 203 9 Claims in excess of 20 Independent claims in excess of 3 102 202 42 84 Request for Continued Examination (RCE) 179 740 279 370 Multiple dependent claim, if not paid 104 280 204 140 Request for expedited examination 169 900 169 900 \* Reissue independent claims over 109 209 42 of a design application original patent \*\* Reissue claims in excess of 20 and Other fee (specify) 110 210 9 18 over original patent The Commissioner is authorized to charge any additional fees to the above noted Deposit Account. SUBTOTAL (2) (\$) \*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)65 \*\*or number previously paid, if greater; For Reissues, see above

1	SUBMITTED BY				Co	mplete (if applicable)	
ļ	Name (Print/Type)	Kevin Bastian	Registration No. (Attorney/Agent)	34,774	Telephone	415-576-0200	
	Signature	K No			Date	November 9, 2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.





COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
WWW.USDIO.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

MINITED STATES PATENT AND TRADEMARK OFFICE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/930.020

08/14/2001

Kurt C. Gish

018501-000830US

**CONFIRMATION NO. 2304** 

20350 TOWNSEND AND TOWNSEND AND CREW TWO EMBARCADERO CENTER EIGHTH FLOOR

SAN FRANCISCO, CA 94111-3834

PADEMA

Date Mailed: 09/13/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable

03/01/2002 VTRUUNG1 00000064 201430 09930020

01-FC:205

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A<del>djustment date: 05/22/2002 MMARMO</del>L 03/01/2002 VTRUONG1, 00000064 201430 09930020



form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

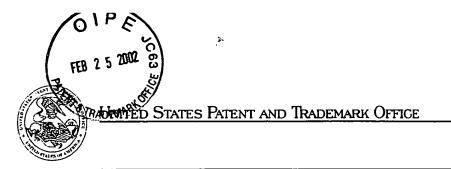
- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/930,020

08/14/2001

Kurt C. Gish

018501-003100US

**CONFIRMATION NO. 2304** 

20350 TOWNSEND AND TOWNSEND AND CREW TWO EMBARCADERO CENTER EIGHTH FLOOR

SAN FRANCISCO, CA 94111-3834

FORMALITIES LETTER

\*OC000000007186669\*

Date Mailed: 12/12/2001

# NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

#### Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 11/13/2001 to the Notice to File Missing Parts (Notice) mailed 09/13/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.

  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- The balance due by applicant is \$65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

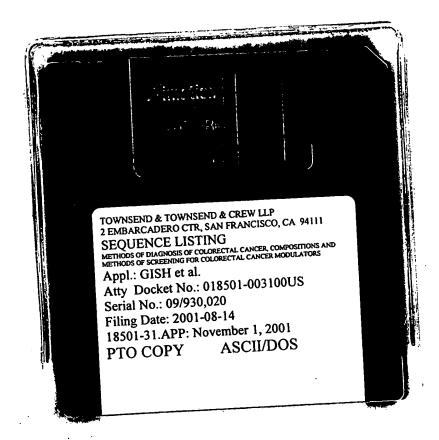
PART 1 - ATTORNEY/APPLICANT COPY



TO THE U.S. PATENT AND TRADEMARK OFFICE

Ticase starrip	GISH King C. M. O. W. D.
	GISH, Kurt C.; MACK, David H.; and WILSON, Keith E.
RE:	Methods of Diagnosis of Columbia WILSON, Keith E.
1	Methods of Diagnosis of Colorectal Cancer, Compositions and Methods of
TITLE OF	
DOCUMENT(S):	PTO/SB/21 Transmittal Form (1 pg.); Communication Regarding Substitute
DOCOMENT(S):	
<u> </u>	Class Mailing; and Return Postcard (this one).
Application No.	09/930,020
File No.	018501-003100US
Date Due	November 12, 2001
Date Mailed	November 13, 2001
	November 13, 2001
Attorney/Secretary	Kevin Bastian/Jill Clarke







TO THE U.S. PATENT AND TRADEMARK OFFICE

Please stamm	the data of service of the Carlot of the Car				
INVENTOR(S):	p the date of receipt of the following document(s) and return this card to us:				
RE:	UISH, KUR C.; MACK, David H.; and WII SON Keith E				
	Methods of Diagnosis of Colorectal Cancer, Compositions and Methods of Screening for Colorectal Cancer Modulators				
TITLE OF DOCUMENT(S):	PTO/SB/21 Transmittal Form (1 pg. original); PTO/SB/17 Fee Transmittal (1 pg. original + 1 pg. copy) with authorization to charge \$65 to deposit account; Executed PTO/SB/01A Declaration (1 pg.) with Application Data Sheet (4 pgs.); Communication Under 37 C.F.R. §§ 1.821-1.825 and Preliminary Amendment (5 pgs.), Version with Markings to Show Changes Made (3 pgs.); 1 Sequence Listing diskette; Paper copy of Sequence Listing (4 pgs.); Copy of notice to File Missing Parts (2 pgs.); Certificate of First Class Mailing; and Return Postcard (this one).				
Application No.	09/930,020 (this one).				
File No.	018501-003100US				
Date Due	November 13, 2001				
Date Mailed	1 · · · · · · · · · · · · · · · · · · ·				
Attorney/Secretary	Kevin Bastian/Jill Clarke				
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